

Serial No. **10/576,562**  
Amdt. dated June 24, 2009  
Reply to Office Action of March 24, 2009

Docket No. **P-0775**

### REMARKS/ARGUMENTS

Claims 1-17 are pending. By this Amendment, the specification and claims 1-12 are amended, and claims 13-17 are added. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action objected to claim 1 for an informality. The Examiner's comment has been addressed in amending claim 1. Accordingly, the objection should be withdrawn.

The Office Action rejected claims 1, 2, and 9-12 under 35 U.S.C. §102(b) as being anticipated by Komroff et al. (hereinafter "Komroff"), U.S. Patent No. 2,793,510. The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, a condensate dispersing device that disperses condensate collected at a lower portion of the case in a radial direction of the axial fan, and a shroud in which the outdoor heat exchanger is mounted, wherein the shroud includes a condensate guide that collects and guides condensate dispersed in the radial direction of the axial fan to an inner surface of the shroud by the condensate dispersing device to the outdoor heat exchanger. Komroff does not disclose or suggest at least such features of independent claim 1, or the claimed combination.

That is, Komroff is directed to disposal of condensate from an evaporator of a room air conditioner that includes a housing 20 having a front wall 21, side walls 22 and 23, and a top wall

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24, a condenser 15 enclosed in the housing 20, a condenser fan 17 that rotates in a circular opening 25 in the front wall 21 of the housing 20, an arcuate guide member 33 attached to the side wall 23, a ring 35 mounted to the fan 17 to rotate closely adjacent the guide to propel the condensate upwardly, and a plurality of vanes 43 provided on the top wall 24 that guide the condensate propelled by the ring 35 on top of the condenser 15. See, for example, Figs. 1, 2, and 5, and column 2, lines 13-36, column 3, lines 12-20, and column 3, line 72 - column 4, line 25 of Komroff. The Examiner corresponds the ring 35 to the claimed condensate dispersing device. However, the ring 35 disperses the condensate in a circumferential direction, and thus, the condensate would mainly be dispersed to the first vane, resulting in uneven distribution. In contrast, the claimed condensate dispersing device of independent claim 1 disperses the condensate in a radial direction of the axial fan, which enables even distribution of the condensate to the condensate guide.

Accordingly, the rejection of independent claim 1 over Komroff should be withdrawn. Dependent claims 2 and 9-10 are allowable over Komroff at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claims 3-8 under 35 U.S.C. §103(a) as being unpatentable over Komroff in view of Speaker, U.S. Patent No. 3,079,767. The rejection is respectfully traversed.

Dependent claims 3-8 are allowable over Komroff at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

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Speaker fails to overcome the deficiencies of Komroff. Accordingly, the rejection of dependent claims 3-8 over Komroff and Speaker should be withdrawn.

By this Amendment, claims 13-17 are added to the application. Independent claim 13 recites, *inter alia*, a shroud in which the outdoor heat exchanger is mounted, wherein the shroud includes a condensate guide, the condensate guide comprising an inclined portion of an upper wall of the shroud that inclines from a point a predetermined distance from the axial fan downward toward the outdoor heat exchanger, the inclined portion guiding the condensate dispersed to the at least one inner surface of the shroud by the condensate dispersing device to the outdoor heat exchanger. None of the applied references discloses or suggests at least such features, or the claimed combination of independent claim 13. Claims 14-17 are allowable over the applied references in view of their dependency on independent claim 13, as well as for their added features.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

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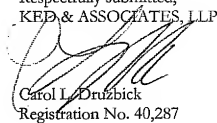
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Date: June 24, 2009**

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